

ESTTA Tracking number: **ESTTA682451**

Filing date: **07/08/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Kansas City Royals Baseball Corporation
Granted to Date of previous extension	07/08/2015
Address	Harry S. Truman Sports Complex 1 Royal Way, MO 64129 UNITED STATES
Attorney information	Lindsay M. Rodman Cowan, Liebowitz and Latman, P.C. 1133 Avenue of the Americas New York, NY 10036 UNITED STATES trademark@cll.com, jmn@cll.com, lmr@cll.com

### Applicant Information

Application No	86412211	Publication date	03/10/2015
Opposition Filing Date	07/08/2015	Opposition Period Ends	07/08/2015
Applicant	Ccjacapital LLC 11700 W Charleston Blvd, Bld 170-338 Las Vegas, NV 89135 UNITED STATES		

### Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are opposed, namely: Hats; Shirts; Sweatshirts

### Grounds for Opposition

Other	Please see attached pleading.
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Attachments	ROYALSINC - Letter to Commissioner re Notice of Opposition.pdf(136687 bytes ) ROYALSINC - NOO.pdf(164755 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Lindsay Rodman/
Name	Lindsay M. Rodman
Date	07/08/2015



Cowan, Liebowitz & Latman, P.C.  
1133 Avenue of the Americas  
New York, NY 10036  
(212) 790-9200 Tel  
(212) 575-0671 Fax  
[www.cl.com](http://www.cl.com)

July 8, 2015

**By Electronic Filing**

Commissioner for Trademarks  
Attn: TTAB  
P.O. Box 1451  
Alexandria, VA 22313-1451

Re: Kansas City Royals Baseball Corporation  
Notice of Opposition Against  
Ccjacapital LLC  
Application to register ROYALSINC and Design  
Ref. No. 21307.030

Dear Commissioner:

We enclose a Notice of Opposition against Application Serial Number 86/412,211 published in the Official Gazette on March 10, 2015. Contemporaneously with the electronic filing of this Notice of Opposition, we are arranging for an electronic payment in the amount of \$300 to cover the filing fee.

If the amount received is insufficient and additional fees are required, please charge our Deposit Account No. 03-3415.

Please address all future correspondence to the attention of Mary L. Kevlin of Cowan, Liebowitz & Latman, P.C.

Respectfully submitted,

/Lindsay M. Rodman/  
Lindsay M. Rodman

Enclosures

cc: Ms. Diane Kovach (w/encs.)  
Mary L. Kevlin, Esq. (w/encs.)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 86/412,211  
Filed: October 1, 2014  
For Mark: ROYALSINC and Design  
Published in the Official Gazette: March 10, 2015

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KANSAS CITY ROYALS BASEBALL :  
CORPORATION, :  
Opposer, : Opposition No.  
v. :  
CCJACAPITAL LLC, : **NOTICE OF OPPOSITION**  
Applicant. :  
-----X

Commissioner for Trademarks  
Attn: Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Opposer, Kansas City Royals Baseball Corporation (“Opposer”), a Missouri corporation,  
with offices at Harry S. Truman Sports Complex, 1 Royal Way, Kansas City, Missouri 64129,  
believes that it will be damaged by registration of the mark ROYALSINC and Design as shown

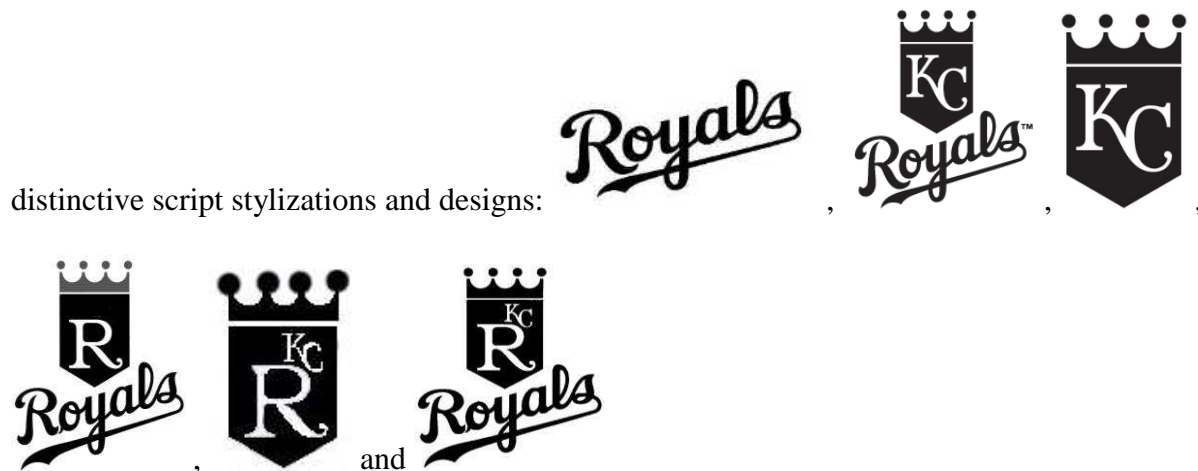


here: (“Applicant's Mark”) for “Hats; Shirts; Sweatshirts” in International  
Class 25 as shown in Application Serial No. 86/412,211 (the “Application”), and having been  
granted an extension of time to oppose up to and including July 8, 2015, hereby opposes the  
same.

As grounds for opposition, it is alleged that:

1. Opposer is the owner of the renowned KANSAS CITY ROYALS MAJOR LEAGUE BASEBALL club.

2. Since long prior to October 1, 2014, Applicant's constructive first use date, Opposer and its predecessors, and their affiliated and related entities, licensees and/or sponsors have used the names or marks ROYAL or ROYALS and/or various crown designs, alone and/or with other word, letter and/or design elements, including, without limitation, in the following



(collectively, "Opposer's ROYALS Marks"), in connection with baseball games and exhibition services and a wide variety of goods and services, including, but not limited to, apparel, including, without limitation, hats and caps, shirts, sweatshirts, pants, jackets and footwear; jewelry; paper goods and printed matter; toys and sporting goods; and novelty items.

3. Opposer owns United States Federal registrations for Opposer's ROYALS Marks in International Classes 6, 14, 16, 20, 21, 24, 25, 26, 28, 30, 34 and 41 and U.S. Class 200, namely, Registration Nos. 893,939, 940,214, 1,034,779, 1,505,238, 1,520,765, 1,522,388, 1,522,533, 1,538,005, 1,552,486, 1,607,457, 1,774,283, 2,623,374, 2,665,338, 3,363,256 and 3,370,316 and Application Serial Nos. 86/417,843, 86/417,845, 86/417,850, and 86/418,174. All of the foregoing registrations are incontestable.

4. Since long prior to October 1, 2014, Applicant's constructive first use date, Opposer and its predecessors, and their affiliated and related entities, licensees and/or sponsors have promoted and advertised the sale and distribution of goods and services bearing or offered in connection with Opposer's ROYALS Marks, including, but not limited to, hats and caps, shirts, sweatshirts, pants, jackets and footwear; jewelry; paper goods and printed matter; toys and sporting goods; and novelty items, and have offered such goods and rendered such services in commerce.

5. As a result of the sales and promotion of its goods and services bearing or offered in connection with Opposer's ROYALS Marks, Opposer has built up highly valuable goodwill in Opposer's ROYALS Marks, and said goodwill has become closely and uniquely identified and associated with Opposer.

6. On October 1, 2014, Applicant filed the Application for Applicant's Mark for "Hats; Shirts; Sweatshirts" in International Class 25, based on an intent to use.

7. Upon information and belief, Applicant did not use Applicant's Mark for the goods covered in the Application in United States commerce prior to its constructive first use date of October 1, 2014.

8. The goods covered by the Application are identical and/or closely related to the goods offered and services rendered in connection with Opposer's ROYALS Marks.

9. The word "ROYALS" in Applicant's Mark is identical to certain of Opposer's ROYALS Marks.

10. The word "ROYALS" in Applicant's Mark is in a script stylization as are certain of Opposer's ROYALS Marks.

11. Applicant's Mark contains a crown design that resembles certain of the crown designs in Opposer's ROYALS Marks.

12. Applicant's Mark so resembles Opposer's ROYALS Marks as to be likely, when used in connection with Applicant's goods, to cause confusion, to cause mistake, and to deceive the trade and public, who are likely to believe that Applicant's goods have their origin with Opposer and/or that such goods are approved, endorsed or sponsored by Opposer or associated in some way with Opposer. Opposer would thereby be injured by the granting to Applicant of a certificate of registration for Applicant's Mark.

WHEREFORE, Opposer believes that it will be damaged by registration of Applicant's Mark and requests that the opposition be sustained and said registration be denied.

Please recognize as attorneys for Opposer in this proceeding Mary L. Kevlin, Richard S. Mandel, and Lindsay M. Rodman (members of the bar of the State of New York) and the firm Cowan, Liebowitz & Latman, P.C., 1133 Avenue of the Americas, New York, New York 10036.

Please address all communications to Mary L. Kevlin, Esq. at the address listed below.

Dated: New York, New York  
July 8, 2015

Respectfully submitted,

COWAN LIEBOWITZ & LATMAN, P.C.  
Attorneys for Opposer

By: /Lindsay M. Rodman/

Mary L. Kevlin  
Richard S. Mandel  
Lindsay M. Rodman  
1133 Avenue of the Americas  
New York, New York 10036  
(212)790-9200

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on July 8, 2015, I caused a true and correct copy of the foregoing *Notice of Opposition* to be sent via First Class Mail, postage prepaid, to Applicant and Correspondent of Record, Ccjacapital LLC, 11700 W. Charleston Blvd., Bldg 170-338, Las Vegas, Nevada 89135-1573.

Dated: New York, New York  
July 8, 2015

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/Lindsay M. Rodman/  
Lindsay M. Rodman